

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LARRY TURNER

PETITIONER

V.

NO. 4:09CV074-P-D

RONALD KING, et al.

RESPONDENTS

FINAL JUDGMENT

The Petitioner filed this matter pursuant to 28 U.S.C. § 2254 challenging his state court conviction and sentence. Following the State's motion to dismiss, Magistrate Judge Jerry A. Davis recommended that the Petitioner's claims be dismissed with prejudice as untimely filed. On May 5, 2010, the Petitioner filed Objections to the Report and Recommendation.

The court finds that the Petitioner's arguments are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

(1) Petitioner's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation (docket entry 22) is APPROVED and ADOPTED as the opinion of this court; and

(3) the motion to dismissed (docket entry 10) is GRANTED;

(4) the Petition is DISMISSED with prejudice; and

(5) this matter is CLOSED.

SO ORDERED, this the 6th day of May, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE